(63-P)

Previous references.
473-01.
SR 124-10.
SR 187-09-5
Later references.

1910-11
(S.R)

File No. 134-10
Serial Nos. 1-6.

S.R. 142-11-1654

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-6.

Part B. for June 1911.

SUBJECT.

Re Sale of foreign liquor licenses for the year 1911-12

From the Excise Comr No. 7337 dated 9.3.11.
Submits for the approval of Govt a draft notn prescribing revised Scale of fees for the several kinds of foreign liquor licenses and states that he recommends the revival of the fixed fee system to place these licenses in the hands of respectable men

2. To the Excise Comr. and comptroller & DCs of Districts.
No. R. 5254 63 dated 4.5.11
States that the innovations proposed by the Excise Comr in regard to foreign liquor licenses for 11-12 may be postponed and directs that the system in force in 1910-11 may be continued for 1911-12 also

G. R. S. 58

Please turn over

G.R.S. 11] 1910

GENERAL AND REVENUE SECRETARIAT.

(874)

NOTES.

File No. 3416

FILE HEADING.

Revised Scale of license fees for the several kinds of foreign liquor shops.

From The Excise Comr.

No. 7337 Dated 9/3/11 Received 15/3/11

Diary No. 3663 Enclos. Spare Copies Serial No. 1

BRIEF ABSTRACT OF LETTER.

Submits for the approval of Govt. a draft notn. prescribing revised Scale of fees for the several kinds of foreign liquor licenses & states that he recommends the revival of the fixed fee system & places these licenses in the hands of respectable men

NOTES AND ORDERS.

1. Rule XIII (a) of the Foreign Liquor provides for the Sale of Retail licenses & Refreshment-Room licenses by public auction. These licenses

R

D. No. 11469 dt. 16/6/11 & 14/7/11.

C.F. 307 dt. 7/7/11 Transmitted.

NOTES—First sheet

GPB—30,000—3-4-07.

G. R. S. 12]
General and Revenue Secretariat.

S/M File No. 134 of 1910

Serial No.

Case Lee. Given on fixed fee by plea also under rule VI of the said rules. In the letter under Dis. Excise Comr. wants permissions to dispose of the above licenses on the fixed fee by pleas but on higher rates than those prescribed in rule VI. He proposes to fix different rates for different localities according to their importance. There seems good reason to accept the proposal. The following points however call for consideration.

2. The Dist. Excise Officer and the Dy. Comr. of Kadur recommend a rate of Rs 300 for Cliche and Sheet & Rs 120/- for Bale Shop. But the Excise Comr. recommends only Rs 200 and Rs 60 respectively. Perhaps it is of opinion that they do not [illegible] liable of securing higher amounts.

3 There are 2 paragraphs under rule VI prescribing

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

SM File No. 134 of 1910

Serial No.

Yes

the rates of license fee & the draft rules now submitted by the Excise Comr. seem to be in substitution of both the paragraphs. In the 2nd of these he the Excise Comr. has made no provision for Toddy licenses & to be consistent with the wording of the rules the words "English Brandy not Beer" in Clause no (11) at the end of the first page of the draft rules may be substituted by "Brandy & foreign malt liquors" and the words "fees a duty of ..... of Beer" the last two lines in the first page may be omitted as the authority quoted in the preamble does not authorise the insertion of this or the levy of duty on other kind of liquor. The Excise Comr. has perhaps inserted this with a view to legalise the present levy. It may be observed that there has been a separate Correspondence

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

8/R File No. 124 of 1910

Serial No.	
93546 8/R 124-10	
The case per seen is not yet disposed of. M.	
	regarding the levy of duty on beer and the file was sent to Levy on 15/2/11.
	Sd/- for orders Blue 56 20/2/11.
	M. 20/3/11 (Excise)
	6. case worker to bring up on June.
	M 12/4/11
	7. The draft now may be approved. In regard to 'bottling' license please write to the Shamanna as to why it has been omitted & if omission is due to oversight whether existing provision may be inserted.
	M 21/4/11
	8. 2 Blue D.O. Portup
	21/4/11

NOTE—Contn. sheet.

GPB—50,000—12-8-10

(5)

G.R.S. 12]
General and Revenue Secretariat.

GR File No. 134 of 1910

Serial No.

* The D.O. is put up with all the file relating to the Bangalore Beer Mr.

Extract from the D.O. ref. from Mr. B. Shamanna in re bottling licenses

"2. Bottling licenses were not included as there was no demand for them in 1910-11. The only firm that had the license in previous year was Haji Ismail Sait of the English Warehouse, Champion Reefs, who frequently broke the conditions thereof by not doing the bottling in the presence of the Excise Officer. These licenses have to be discouraged as far as possible, as they lead to a lot of malpractices by allowing the purity of foreign liquor to be lowered."

10. So the provision regarding bottling licenses has been purposely omitted.

11. It is submitted that para 3 has been generally worded to include the payment of Registration fees in the cities of Bangalore & Mysore to the respective municipalities.

Dr. IV may be consulted regarding

Qnd: it may be considered whether when there is provision for such licenses in the other portion of Foreign liquor Rules, there is no necessity for the provision regarding the sale. - No

NOTE—Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

GR File No. 134 of 1910

Serial No.

the notification or otherwise this provision under the Munl. Regn

12. As regards the duty payable on English Beer in sub-head (11) in para it is submitted that, though it is authorized (instead of surcharge fees) under standing the orders passed last year when both English & Country Beer were allowed to be placed on the same level, this duty of 2 as 1½ pies per gallon is in addition to the duty already paid at the place of import, which is contrary to the usual practice, though there is nothing to prevent such a levy in the Regulations. It is therefore suggested that instead of the word "duty" the words "& gallon fee" may be substituted.

Submitted for orders.

Flag Q + Para 11 of the notes in that collection.

SR. 18-09-5.

As both surcharge fees (provision in para) and duty (sub-head 11, para) cannot be levied, either the one or the other has to be retained and not both ✱.

Mr.

Mr. 83
25/4/11.

13. To Br IV, on the first instance for kindly noting whether the levy of the Registration fee by the Municipalities of Bangalore & Mysore (referred to in the draft notification) is allowable

L. Dis. 235 of 1910-11

25/4/11

NOTE—Contn. sheet.

GPB.—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

GR File No. 134 of 1910

Serial No.

under the new Municipal Regulation
Rules ~~from~~ thereunder if any

14 The file may kindly be mailed as
very urgent.

26/4/11. SA

BY N
5/26/14.

15 Under Sec 58 of the old Municipal Regulation ~~xxxx~~ every retail dealer in spirituous or intoxicating liquors was bound to register annually his place of business and obtain a certificate of such registration annually for each such place of business on payment of the annual fees or fees specified in Schedule ~~(C)~~ C2 of that Regulation. This provision has been left out in the New Munpl Regn. But it may however be brought under "any other tax" specified in Cl (~~ix~~ xi) of Sec 59 of the New Regn.

16. The registration of spirituous or intoxicating liquor shops in the Cities of Bangalore and Mysore is it is understood being continued and the registration fee comes to an appreciable amount. These Municipalities may therefore be unwilling to forego this item of revenue. The amount of

NOTE—Contn. sheet.

GPB—55,000—27-4-09

LA Mus 235-10 8

G. R. S. 12]
General and Revenue Secretariat.

FR File No. 134 of 1910

Serial No.

estimated
Receipts provided under "Cg Licence fees" in the current years budget estimates of the
1910-11 Rs 17,050/- Bangalore and
" 9000/- Mysore city
Municipalities is as noted in the margin.

17 As specific provision has not been made in the new Municipal Regn for the registration of these places of business, it is respectfully suggested that the words (1) "under the Municipal Regulation" and (2) "under the powers conferred by the Municipal Regulation" occurring in para 3 of the draft notification may be omitted.

Submitted for orders.

BLR (19) 26/11/11

18 I do not find any provision in the new Municipal Regulation similar to that contained in sec 58 of the old municipal Regulation requiring a place for sale of spirituous liquor to be registered. The new Regulation provides that licenses may be required to be taken out for the use of

NOTE—Contn. sheet.

GPB—55,000—27-4-09

Serial No.

any place for certain purposes (vide Section 48 (1)(b)) but the sale of spirituous or intoxicating liquors is not mentioned among those purposes - Section 59 provides for the imposition of a tax on trades &c at rates not exceeding those specified in schedule III. and the rates payable by Abkari Renters are graduated according to their income, the maximum being Rs 50 and the minimum ~~Rs 6~~ Rs 6 and are much below the rates of license fees prescribed in Schedule B II of the old Regulation. So even if the old license fees be deemed as a tax the levy of which is authorised under section 2(b) of the new Regulation, it cannot be levied at rates higher than those fixed by the Regulation.

9. As regards the notification, para 3 thereof may be modified as follows :—

" In addition x x x is bound to pay to the Municipality such

NOTE—Contn. sheet.

TPB—55,000—27-4-09

Serial No.

tax as may be imposed by the municipality under the powers conferred by the municipal Regn

20 It is supposed that licensees of the kind referred to in the above para come under the designation of "Abkari Renters but even otherwise, they come under traders and are liable to pay trade tax.

Br II 26-4-11 Hill

(sub)

M. 83
28/4/11
Hill
27/4/11

21 (1) The phraseology adopted ~~by~~ in the draft notification viz "English draught beer" may be replaced by the Express "Draught Foreign Malt liquor" occurring in the Foreign Liquor rules.

yes. MY

22 (2). It is not clear on what authority a duty is proposed to be levied on this liquor which is "foreign liquor" and pays the usual Customs duty at the place of import. Such liquors are not usually liable to an Excise duty ~~also~~ also at Mysore under Existing practice.

NOTE—Contn. sheet.

GPB—55,000—27.4.09

G.R.S. 12]
General and Revenue Secretariat.

SR File No. 134 of 1910

Serial No.

Last year the levy of the "duty" on this kind of liquor was sanctioned in file no 164-09 but this point appears to have been overlooked then.

Q
I think duty may be taken off & a Surcharge fee levied which will work out to the same amount as the duty as far as possible is/

23. It would perhaps be less objectionable if only a Surcharge fee is levied on Liquor instead of a duty". Or either fee may be styled

24. At present County ben pay only duty to Mysore Govt but under the proposed draft notification ~~of English~~ beer would be subjected to both duty and Surcharge fee - ~~the latter~~ that is, it will be placed in a relatively unfavourable & position than Company with Country ben ~~[illegible]~~ levy of Surcharge fee only. ~~[illegible]~~

25 There was no Surcharge fee last year the duty being levied instead of Surcharge fee. We may perhaps maintain the present arrangements viz of levying duty only, unless it is considered "duty" should not be levied

Q Please see Ex. Comm's letter dated 2nd March 1910 (file no 187-09) in which he recommends levy of duty instead of Surcharge fee. Now he recommends both

28/4/10

Note Contn. sheet.

GPB—55,000—27.4.09

G. R. S. 12]
General and Revenue Secretariat.

GR File No. 184 of 1910

Serial No.

26 As regards the question of Registration before Municipalities, the new Municipal Regulation does not Contain any provision requiring registration and it is to be feared that Registration Can not be legally Enforced. But the Municipality Can however impose and levy a tax, but the maximum Can not exceed ~~Rs~~ 50/-. Vide Schedule III. If this view is approved, ~~the~~ para 3 of the Notification will have to be suitably modified.

The phraseology suggested by Asstt Secy IV may be adopted

28/4/11 SH

Sec) 27 I have made a few marginal remarks in print of detail against the above note for facility of reference. The question of imposing duty on foreign drawn beer requires careful consideration. The Mem.ⁿ may be addressed separately to state under what provision of law they levy the Registration fee on liquor shops. Though the new Regulation has been in force for nearly 5 years the Municipalities do not

NOTE—Contn. sheet.

GPB—55,000—27.4.09.

G. R. S. 12]
General and Revenue Secretariat.

SR File No. 184 of 1910

Serial No.

Yet seem to have realised the fact, & they are still going on in the old grooves.

1st C^r

C/83
8/4/11
SA
28/4/11

28

2864
29-4-11

The fixed fee system may be reverted to. The scale of fees seems reasonable. The question of duty on foreign licenses and fees for registration in Municipal areas may be taken up and considered separately.

KW
29/4/11
CSZ
SA
29/4/11

Dewan

29 Board's proposals have the same system for 1911-12 as for 1910-11 & postpone cinema rules.

29/4/11

30 Resubmit

CSZ

2280
1.5.11

31 allright KW 29/4/11

29/4/11 32 Please issue orders urgently

CSZ 29/4/11

33 Put up draft 1/5/11 SA 1/5/11

NOTE—Contn. sheet.

GPB—55,000—27-4-09

G.R.S. 12]
General and Revenue Secretariat.

8R File No. 134 of 1910

Serial No. 34

Draft-Subd

35 It is not clear if any reference has to be made to the Municipalities of Mysore Bangalore regarding the provision contained in the old Rules regarding the registration of Excise Rules under the New Municipal Regulation. May the Excise Comm^r be asked to settle that point with the Municipal Councils

Subd for orders.

Mr. 83

2/5/11

2/5/11

36 (1) Issue

37 (2) Inspection about the Municipal Registration fee is pending in a Separate file on a reference made by the Exc Comm^r

2/5/11

2. To the Excise Comm^r & Comptroller No: 7L5454-63 dt 4/5/11 & Dtd

States that the innovations proposed by the Excise Comm^r may be postponed in re foreign liquor licenses for 1911-12 and directs that the system in

* under consideration in Branch IV

Note—Contn. sheet.

GPB—55,000—27-4-09

Serial No.

force in 1910-11 may be continued for 1911-12 also.

3. From the Excise Commr in Mysore No. 9170 of the 6/5/11 submits a draft notfn announcing the sale of foreign liquor licenses for 1911-12. ~~for approval~~

38. The chief modifications made in the present proposal are as follows:-

1. The licenses are intended to be given for one year,

This is because the new licn is to only for one year - while the old one was for 3-years. Sd

2. In rules 11 and 12 certain alterations are made in the amount of deposits to be made by the licensees

3. Some special licenses which are provision relating to referred to in condition 3 (Para 19) are omitted.

Ask for explanation.

4. The power vested in the Dy Commr to call for the names employed in shops for sale for his approval or disapproval is withdrawn. proposed to be

Do.

This seems all right.

5. In condition 23 an annual allowance is made necessary alterations have been made with regard to payments of fees.

39. No explanation is given by the Excise Commr for the changes ~~to be introduced~~ to be introduced

NOTE—Contn. sheet.

GPB—55,000—27-4-09

G.R.S. 12]
General and Revenue Secretariat.

8R File No. 184 of 1900

Serial No.

It may be pointed out that the changes relate to minor matters and in particular no reason is necessary for items (a) to (d) (f) but one point it seems to deserve some consideration The proposed notfn is for the sale of foreign liquor. But condition (39) under para 6 relates to beer manufactured in the C & M station. Though there is provision for this in rule XII of foreign liquor rules yet according to the practice in vogue in Mysore & Bangalore cantonments where double distilled spirits and special liquors are sold in separate shops licensed owned by separate licensees, country beer made in Cantonment may with advantage be sold in these shops and not in those where foreign liquor is sold. Subd for orders.

Mr. 83 41. Vide marginal remarks.
10/5/11
Please note that the age of the Seller and buyer should be 16 and not 14. This was adopted two years ago in respect of all Excise Shops

Q. What does this refer?

A. Can not follow this note Dewan's Secretariat

As this question is under action on the suggestion made by the Secretary in para 27 of his notes regarding the levy of duty on English malt liquor will have to be taken up after orders issued on the notfn

Mr. 83.

age - 14
Excise Shops -
Cond. 2.6

13/5/11

NOTE—Contn. sheet.

GPB—55,000—27-4-09

G. S. 12]
General and Revenue Secretariat

SR File No 134 of 1910

Serial No.

and therefore must be extended to
J. L. Shops also.

42 Condition 3b is not full. I think we qualified it last year on a representation from some wine merchants

43 Put up a draft letter (Urgent) asking for an Explanation on all these points.

15/5/11. SH

44 Subd with a draft accordingly

Secs

SSA (14) 15/5 SH 15/5/11

45 Issue at once

16/5/11. SH

4. To the Excise Commr in Mysore
No: H 5699 of 16/5/11
Requests him to furnish information on certain points in detail contained in his notfn relating to foreign liquor licenses

5 From the same Officer
No 9685 of 21/5/11.
Furnishes the information called for.

NOTE—Contn. sheet.

GPB—55,000—27-4-09

G. R. S. 12]
General and Revenue Secretariat.

SR File No. 134 of 1910

Serial No. 46

Submitted for orders.

MS 8/3

26/5/11 47 (1). Condition 3 of rule 19.

RMG 26/5/11 Enquiry was made on this point because it was doubtful - and it is even now doubtful - whether the general Conditions applicable to all "Excise and Opium Licences" apply to a Foreign liquor licences also the Ex. Commr now says that they do but he has not consistently kept this in view, as may be seen from the fact that the age limit of purchasers &c was retained in the original draft at 14.

48. However the first part of the portion omitted in Condition 3 does not directly refer to F. L. licences and so the first sentence as altered by the Ex. Commr may stand But it is a question whether the second sentence which has also been struck out now but which, as a Caution applies to F. L. licences also, should not be retained in the draft It may perhaps be retained

49 (2) & Condition 6 of rule 19

(2) The Excise Commr is now of opinion that the DC shd have the power of calling for his approval the names of persons employed in Shops.

NOTE— Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

SR File No. 134 of 1910

Serial No.

If as the Ex. Comm^r stated with refce to Condition 3, the general Conditions applied to T. L. licenses also, the change first proposed by him should have been unnecessary. But as the Ex. Comm^r is now of opinion that the rule as it stood prior to its amendment in the order of 3rd April should be enforced, the portion proposed to be struck out will be retained, if appd.

50 (3) Conditions of rule 19.
The Ex. Comm^r has adopted the higher age limit of 16. The draft will be amended accdgly if appd

51 (4). Condition 36 of rule 19.
This is all right
It seems to be better to postpone the rule as recently amended in full. This will give full information to the licensees (we have only yet to add one sentence)

52 (5) Condition 39 of rule 19.
This as proposed to be amended is all right

NOTE— Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

GR File No. 134 of 1960

Serial No.	
53	The draft notification with the above modifications may perhaps be appd Sd 26/5/11 Sec'y 54
	chy 27/5/11 Sd 27/5/11
55	Please put up a correct draft notification embodying the proposed modifications WKM 27/5/11 chy
	Urgent Sd 29/5/11
56	Draft of the notfn is put up Mn. 83 29/5/11 WKM 29/5/11 Sd 30/5/11
N.	
	57 approved WKM tomorrow 58 Issued my 31/5/11 Sd 31/5/11

NOTE— Contn. sheet.

GPB—50,000—12-8-10

G. R. S. 12]
General and Revenue Secretariat.

SR File No. 134 of 1960

Serial No.	
6	To the Excise Commissioner No. 21-942 dt 2/6/11 Approves the notification with certain modifications

NOTE— Contn. sheet.

GPB—50,000—12-8-10

No 7337
Ex 2

Sdy 134-0810 1936 69

OFFICE OF THE EXCISE COMMISSIONER IN MYSORE,

Bangalore, dated 9th March 1911

Read 18/3

From

H H. Sparkes, Esquire,

Excise Commissioner in Mysore

To

C. S. Balasundram Iyer Esq BA

Offg: *Secretary to the Government of*
His Highness the Maharaja of Mysore,
General and Revenue Departments

SIR,

In submitting herewith a draft Notification for the dis--posal of the several Foreign Liquor licensees fixing a revised scale of fees in the several localities of the Province, I have the honor to forward for the information of Government a copy of docket No. 315, dated the 3rd February 1911 from the Deputy Commissioner, Kadur District, together with a ~~copy~~ of its enclosure and to state that as a result of the competition brought about by the auctioning of these licenses the business had in some cases passed into the -- hands of those whose only object was to make as great a profit as possible by any means whatever especially by introducing cheaper -- brands into the market To prevent such a state of things I would recommend the revival of the fixed fee system which tends to keep the business in respectable hands as recommended by the Excise -- Committee. Some of these licensees in the different centres were sold by auction last time to get an idea of the amount of revenue that is derivable from them and the scale of fees now submitted is calculated on the basis of securing the same as license fee and sur--charges This scale is fixed with respect to the importance of the place and the demand for high class foreign liquors and cannot be said to be so prohibitive as to hamper legitimate trade in recognised respectable hands

2. The choice of selecting the licensees in the several places will

D3665 S/N

1911

From H. H. Sparkes Esqre

Excise Commissioner in Mysore.

To

C. S. Balasundaram Iyer B.A.,

Secretary to the Government of H. H. the Maharaja of Mysore, Genl. and Rev. Depts.

Dated

Despatched 13 — 3 — 11

Received

General No. 7337

Enclosure No.

SUBJECT.

Submitting the draft notification for the disposal of the several foreign liquor licenses fixing a revised scale of fees in the several localities of the Province

will be kept under control and none but respectable men dealing in the line will be selected. This will keep the Foreign Liquor trade in such hands that will not descend to compete with the legitimate duty paying country liquors and yet will guarantee the State the normal Revenue from Foreign Liquor

3. Under the above circumstances I beg that Government will be pleased to pass early orders in the matter.

I have the honor to be,

Sir,

Your most obedient servant,

Excise Commissioner.

Draft Notification.

No. Dated

Under Rule VI of the Foreign Liquor Rules published under Government Notification No.11469 Ex.F.3-1901, dated 10th January 1902, as amended by Notification No. Fl.1407/S.R.49-07-12, dated 11th September 1908, and in supersession of the Notification No. Fl.2776/S.R.49-07, dated 21st December 1908, the following scale of fees per year or fraction of a year ending with 30th June is fixed as regards the licenses herein mentioned : -

(1) Wholesale License.	Rs.120/-
(2) Retail "Off" License in Bangalore.	500/-
(i) --- do --- in Mysore.	
(ii) --- do --- in Shimoga, Bowringpet and Kolar Gold Fields. . .	Rs.300/-
(iii) do -- in Chickmagalur.	200/-
(iv) --- do --- in Balehonnur, Kadur District. . .	
-- do --- in Saklespur, Hassan District. .	Rs. 60/-
(3) Hotel and Boarding House License.	60/-
(4) Railway Refreshment Room License.	Rs.120/-
(5) Ordinary Refreshment Room License.	120/-
(6) Special License for the sale of weak liquors which do not come under the above heads.	Rs.150/-
(7) License to Proprietory Clubs and Co-operative Societies.	60/-
(8) License to Chemists and Druggists.	10/-
(9) Auctioneer's License.	5/-
(10) Occasional License, a fee to be levied at the discretion of the Deputy Commissioner not exceeding Rs.20/- for periods not exceeding 10 days at one time.	
(11) ~~English Draught Beer.~~ . . . plus ~~a duty of 2 annas and 1½ pies per gallon of Beer.~~ a hogshead fee of Rs.7-2-9 per hogshead or 0-2-1½ per gallon.	Rs.600/-

* Planters supply companies have been given licenses for 3 years from 1908. vide Govt. Order No. Fl.109 S.R.34-08 dated 9/11/11.

2. In addition to the above fees which shall be paid in advance before the issue of the licenses there shall be paid immediately after the close of each quarter of the official year for which the license is granted, a surcharge fee of Rs.30/- on every 250 gallons or fraction thereof sold in excess of 500 gallons.

N.B. No surcharge fee is payable for the following licenses : -

(1) Occasional License.

(2) Auctioneer's License.

(3) License to Chemists and Druggists

3. In addition to the aforesaid license and surcharge fees, every license-holder of - - Retail, Hotel or Refreshment Room license within the Cities of Bangalore and Mysore is bound ~~to register his place of business under the Municipal Regulation and to pay the Municipality for the certificate of each registration such annual fee as may be fixed by the Municipality under the powers conferred by the Municipal Regulation.~~

to pay to the municipality such tax as may be imposed by the municipality under the powers conferred by the Mun. Regn.

4. The Excise Commissioner may from time to time fix the amount of fees on a Dining Car License, having regard to the condition of the sales, at a sum not less than Rs.15/- and not - - higher than Rs.60/- per annum, when the sales do not exceed 500 gallons a year.

By Order,

Dhanamma
Jr Ex. Comm

Offg: Secy. to Govt. Gen. & Rev. Depts.

Copy of docket No. 315, dated 3rd February 1911, from the Deputy Commissioner, Kadur District, to the Excise Commissioner in Mysore.

Excise Commissioner's No. 5775, dated 16th January 1911, for--warding for opinion registered letter from the Managing Director, Mysore Planter's Supply Company, suggesting the revival of the Fixed Fee System etc., in the disposal of Foreign Liquor Licenses in Kadur District.

Has the honor to forward the Kadur District Excise Officer's Memorandum on the subject referred to in the docket under reply and to state that the undersigned agrees with the opinion expressed by the District Excise Officer in the Memo, and that for reasons stated therein the Foreign Liquor shop at Chickmagalur may be leased to the Mysore Planter's Supply Company for the ensuing year 1911-12 for the fixed fee of Rs.500/- and the shop at Balehonnur for Rs.120/

" Copy "

Bhimanna

for Excise Commissioner.

Memo

Excise Commissioners No 5775 Dated 16th January 1911 forwarding for opinion registered letter from the Managing director, Mysore planters Supply Co suggesting the revival of the fixed fee System etc in the Disposal of foreign liquor licenses in Kadur District.

1. Till the Close of 1906-07, foreign liquor licenses were issued on payment of fixed license fees calculated upon the Consumption in the respective Shops. In 1907 however, the foreign liquor rules were amended by Notification No $\frac{\text{JC } 7515}{\text{S. R. } 189\text{-}04\text{-}4}$ dated 3rd April 1907, giving the Excise Commissioner the option to order, in places where there

there is a likelihood of bonafide competition, the sale by public auction of the right to hold such licences. Accordingly for the year 1907-08, while two foreign liquor retail shops in Chickmagalur town were licensed on payment of the fixed fees as in previous years, the Refreshment Room licence, for which a competition was expected, was sold by public auction, and the right was brought by Mr Srinivasa Rao of the Mysore planters' Supply & Co for an annual payment of Rs 351. for three years. In 1908-09 however, of the two retail licences one was cancelled and the other sold under Notification No 10754 dated 30th June 1908. in public auction for three years for an annual rental of Rs 300/. to Mr Watson of the Planter's Supply & Co.

2 Evidently therefore, the right to hold retail licenses for the sale of foreign liquors in Chickmagalur Town was sold in auction partly because the Excise Commissioner was of opinion that there was bonafide competition, and partly to increase the income to the State from this source, which was disproportionately small compared with the consumption especially of the cheaper brands which encroached very largely on the sphere of country arrack and locally manufactured Special liquors to the prejudice of the revenue which may justly be suspected (Vide para (1) of Excise Commissioners memo No 8859-66 dated 17th April 1908.)

3. The consumption of the high priced imported foreign liquor in Chickmagalur Town or for the matter

Of ih in the Kadur District itself, is confined to the European planters and other followers and to the very limited section of the more well to do class of Natives. The consumption therefore cannot be large. Under such conditions, the licensee if he hopes to do a good and successful business, must necessarily keep a large and varied stock of high class and therefore high priced liquors and this means a large outlay of capital. At the last sale of 1908, the persons that Completed for the license are Messrs Watson (Mysore planters stores). Ganeshaiah, (Contractor) and Subbarayalu Naidu. Messrs D'Souza (of Felix Dinto & Co), C. Srinivasaiah, (planters stores) and Pallanja, a rice contractor were also present, but did not actively compete. Of these Ganeshaiah

Ganesha Rao is a defaulter; and it is a matter for consideration whether of those remaining competitors in the last sale, has the large capital necessary to do the business honestly and in a business like manner. It must be said that there is no bonafide competition for the sale of that class of high quality liquors which the planters supply now do it may be that if the privilege is sold by auction, some of those that competed in 1908 will also do so now; and offer a higher amount than what the planter's supply Co are willing to do. But shall we have the guarantee

that this New Licensee will sell only high class and high priced liquors. The fact that the Planter's Supply & Co. sell ~~in~~ foreign liquors, is in itself a guarantee of the declared high quality of the liquor bought of them. Directly the trade passes into other hands, the European Consumers will begin importing their own liquors from either Bangalore Bombay or Madras; and the New Licensee when he sees his trade languish, with a view to profit, will think of catering to that class of public, who because of the high price of foreign liquors now obtainable have taken to locally manufactured Special liquors. He will import the Cheaper brands of

of Foreign liquors which will successfully Compete with the Special liquors and yet bar No duty to impair government, and the glamour of their European production will increase the sales of such cheap liquors to the detriment of Special liquors locally manufactured and to State revenue. It will therefore be Not in the interest of the State to issue the license of Foreign liquors to any but respectable Firms; and there is the Danger of its being done if the right is disposed of in public auction. It may be given to the

the planters supply & co for a reasonable

sum

4. The opinion of the Indian Excise Committee on the subject of Foreign Liquor Licenses, is as follows (Pages 46 and 47 of the Report).

"118 x x x It seems to the Committee that in respect of these licenses (wholesale licenses) which are practically for the sale of a dozen quarts or more at a time, the proper policy is to impose a fixed fee which should be sufficiently high to keep the breweries in respectable hands but ~~not~~ not so high as to hamper legitimate trade x x x x x x. A fixed fee of from Rupees 1000/ to Rupees 3000/ would probably be satisfactory."

119 They would further allow bottling or compounding or blending by No one but holders of Wholesale licenses, on payment of an additional fee of from Rs 50/- to Rs 100/- for bottling, and one of from Rs 250 to Rs 500/- for compounding or blending

120. Next fall to be considered what may be called retail "off" licenses that is licenses for sale for consumption off the premises with a superior limit of sale of two gallons and an inferior one usually of a pint. These are the licenses commonly granted to ordinary shop-keepers but then may of course be combined with wholesale licenses in the case of considerable firms. The fees levied for them are very various x

x x x x x x x x

" In this case again it is necessary rather to see that the business is kept in respectable hands than to extract revenue from it. The shops in question are required to supply the demand of the classes using foreign liquors which already pay a high duty and they do little to increase consumption or drunkenness if proper discretion is shown in the grant of licences. The Committee would recommend grant to respectable persons at a fixed fee which might amount to Rs 50/- to Rs 1000/- in small towns. Rs 250/- in large ones and Rs 500/- to Rs 1000/- in the case of considerable firms - trading at the head quarters of provinces. x x x x x "

In 1906-07 before the right to

to Rs 1804 was auctioned, the revenue from the three foreign liquor shops in Chickmagalur town was Rs 1804 It went up to Rs 2857 in 1907-08 in which year, only the Refreshment room license was disposed off by auction. In 1908-09 of the two remaining retail "off" licenses, one was cancelled and the other disposed off by auction. The Number of licenses thus fell from 3 to 2 and the revenue in that and in the following year 1909-10 was Rs 4357. per annum. In 1910-11 or current year the period of the Refreshment Room license having expired it was not renewed and the income from the only remaining license is Rs 309.

The average of the 5 years' realization in Chickmagalur town under Foreign Liquor Licenses is Rs 307/. The wholesale price fixed for a license by Notification No 10754 dated 3rd June 1908 which is still in force, is Rs 150 per annum.

6. The fee for the wholesale license held by the Planters Stores & Co at Bale Honnur was Rs 60/. Which it was raised to Rs 120/. by the Excise Commissioner (vide Last Sentence of para 5 of Memo No 8859-66 dated 17.4.1908).

7. If all the three shops of 1906-07 in Chickmagalur were licensed at the upset price of Rs 150/ the income to Government will be Rs 450/. or even if only the two shops of 1909-10 licensed to the Planters Stores & Co were licensed

at the upset price, the income will be Rupees 3007. per annum Considering that the Company will have the monopoly of the trade in foreign liquors in the District Head quarter town of Chickmagalur it does not appear ~~unreasonable~~ unreasonable to ask them to pay Rs 3007. which they have been now doing for the past three years and which amount is Rs 277. less than the average of past 5 years

8 The Contention that the Shop at Balehonnur is only a branch of that in Chickmagalur and is in the same District and it must therefore have a free license, appears unsound. For the matter of that the Company must Claim the same privileges for the Sakalespur Shop also, because it

it is also a branch of that in the minagalu
and both are in the myone State. The
The analogy of itinerant traders who
move about from place to place buying
and selling their goods and who are
exempted from paying mohalanga tax
and others duty more than once, does
not hold good. If payment at any
one place is reason for its exemption
in other places, then as foreign liquors
pay a duty at the port of entry, then
sale should be free in the state. The
fee asked being for the privilege of
selling in a particular area, the
reason for its exemption in a place where
business is done and liquor is sold
to consumers, is not clear. After all
it is not too much to ask them to

to pay Rs 120/- for Bale Honnur, and Rs 300/- for Chickanagalur when it is considered that practically the whole trade in imported foreign liquors throughout the Kadur District will be in the hands of the Mysore Planters Supply Company

Sdy. C. V. Krishnaswamirao
District Excise Officer

2. 2. 1911

"Copy"
C. V. Krishnaswamirao

G.R.S. 28.]

File No. 134-10
Serial No 7

Diary No. of letter replied to 3669

Proceedings of the Government of His Highness the Mahārāja of Mysore.

GENERAL AND REVENUE SECRETARIAT.
(G R)

the 19

Date of issue 4 May/11

Signed by N Honnegowda

READ—

Letter no. 7337 of 4th March 1911 from the Excise Commissioner, submitting a draft notification fixing a revised scale of fees and recommending a revival of the fixed fee system for the disposal of foreign liquor licenses for 1911-12.

~~ORDER THEREON—No.~~

Order thereon
No. E 5454-6328, 4 May/11

over

SUBJECT.

GPB—10,000—9-12-09

Govt are of opinion
that the innovations
proposed by the Excise
Commr may be post-
poned ~~for further~~ for
and they therefore direct that
the system in force for
1910-11 be continued
for 1911-12 also

Sd

for Secy to Govt

To
The Excise Commr at Mysore,
The Comptroller to Govt,
& The Dy Commrs of Districts

No. 83

25/11

HN

No. 9170
R. 1

OFFICE OF THE EXCISE COMMISSIONER IN MYSORE,

Bangalore, dated 6th May 1911.

From

K Doraswamy Iyer Esquire

Offg *Excise Commissioner in Mysore.*

To

C.S. Balasundaram Iyer Esq B.A

Offg: *Secretary to the Government of*
His Highness the Maharaja of Mysore.
General and Revenue Departments.

SIR,

In pursuance of Government Order No 5454-63/S.R.134-10-2 dated 4-5-1911, directing that the system in force, with regard to the disposal of the Foreign Liquor licenses for 1910-1911 be continued for 1911-1912 also, I have the honor to submit herewith, a draft Notification announcing the sale of the licenses for 1911-1912 in the Districts, for approval

2 I request that early orders may be obtained and communi-
-cated

I have the honor to be
Sir
Your most obedient servant

K Doraswamy Iyer

Offg: Excise Commissioner
in Mysore

V. 25 D4502

1911

R 2134-10
Encl-3

From

K. Doraswamy Iyer Esquire

Offg Excise Commissioner in Mysore.

To

C S. Balasundaram Iyer Esquire B.A.,

Offg Secretary to the Government of
H. H. the Maharaja of Mysore,
Genl. and Rev. Depts.

Dated

Despatched 6 - 5 - 11.

Received

General No. 9170

Enclosure No. 1

SUBJECT.

Submitting a draft notification announcing the sale of the Foreign liquor licenses for 1911-12 for approval.

GPB—2,000—31-7-09

EXCISE DEPARTMENT

Notification No: ~~10754,~~ *dated* ~~3rd June 1908.~~ 6th May 1911

NOTICE OF SALE OF FOREIGN LIQUOR LICENSES ~~FROM 1908 to 1911.~~ for the year 1911-12

Notice is hereby given that the privilege of selling Foreign Liquor under the licenses mentioned in the subjoined schedule during the ~~three~~ years beginning 1st July 19~~08~~ and ending 30th June 1912 will be put up to public auction by Deputy Commissioners or Revenue Assistant Commissioners or District Officers of the Excise Department or other officers specially authorised by the Deputy Commissioners for the purpose on the dates and at the District Headquarters mentioned in the schedule, subject to the conditions hereinafter set forth. If the sales are not completed on the dates fixed, they will be continued on the next following days, close holidays excepted.

2. A deposit of Rs. 20 must be made by each bidder previous to bidding and will be received at any time within three days previous to the date of sale.

3. The shops will be put up to auction at an upset price of Rs. 150 per annum.

4. Every shop should, as a rule, be sold independently.

5. No person will be allowed to bid for another unless he holds a Power-of-Attorney from the latter.

6. No shops will be knocked down in the name of two or more persons unless they represent a duly recognised Company or firm by means of a Power-of-Attorney. The selling officer shall refuse to register as a purchaser any one in whose name the bidding has not proceeded.

7. The officer conducting the sale may, at his discretion, refuse to accept the bid of any person on the ground that it is too low or that he has been convicted by a Criminal Court or has previously been guilty of such a breach of the conditions of a license or of a contract under the Excise Regulation or Opium Act, as to render him undesirable as a holder of a license or on the ground that he is insolvent or to prevent arrangements to the detriment of Government interests or for any other valid reason.

8. The shops will be knocked down to the highest bidder, but the sale will be subject to formal confirmation by the Deputy Commissioner, who shall be at liberty to accept or reject any bid at his discretion. Such formal confirmation will be tantamount to an acceptance of the bid unless revised by the Government for special reasons and will be necessary whether the sale be held by the Deputy Commissioner himself or by any officer appointed by him.

9. In cases of dispute at the time of auction the selling officer's decision shall be final; and if for any reason the highest bid is rejected the next highest shall be taken or the shop re-sold at his discretion.

10. Tenders after auction shall not generally be accepted. Shops remaining unsold at the first auction shall ordinarily be disposed of by re-auction later on. But the Deputy Commissioner has full discretion on this point.

11. As soon as possible after the auction is completed, the deposits made by the unsuccessful bidders will be returned to them. As the auction proceeds, each person whose bid is accepted shall at once, if so required by the selling officer, or otherwise at the close of the day's sale, make a further deposit of ~~two~~ months' rent (in addition to the deposit made under condition 2) for each shop unless the initial deposit equals or exceeds ~~six~~ months' rent. Should he fail to do so, the deposit made by him under condition 2 will be forfeited and the shops will be put up again to auction, on the above conditions or otherwise disposed of as the selling officer may determine and the defaulter will be debarred from bidding again for the same or for any other shop.

half a / two

12. Persons to whom shops have been knocked down and who have made deposits as provided in conditions 2 and 11 shall leave their address with the selling officer, in order that the confirmation of the sale may be communicated to that address by a notice and they shall also *deposit such further sum as, with the former deposits will make up ~~six~~ months' rent. Such deposit should be paid into the Taluk Treasury within seven days from the date of communication of the notice of the Deputy Commissioner's acceptance of the bid by its presentation to themselves or to any adult male member of their family at the place of the said address, or by its despatch duly registered by post. They shall then *without unnecessary delay* execute the necessary engagements and take out licenses on the conditions hereinafter set forth. In the case of the purchaser's death after signing the agreement, it will be binding on his heirs and

two/-

*Deposits may be in cash or other approved security.

assigns. Should the initial deposit exceed the sum required to be deposited under this condition, the excess will be refunded unless the purchaser is required to make a deposit (twice that sum) under condition 13 *infra*.

13. If on enquiry subsequent to sale the purchaser shall be found to be of doubtful solvency or a foreigner having no sufficient property in the Mysore State, he may be required either to deposit twice the sum prescribed in condition 12 *supra* or to get a surety or sureties, residents of and possessing sufficient property in the Mysore State to execute a security bond for the due payment of all moneys that may become due by him under the terms of the contract. The bond shall be stamped (Article 32 of Schedule I of the Mysore Stamp Regulation II of 1900) and also registered at the expense of the purchaser if the amount secured exceeds Rs. 1,000.

14. As soon as the sales are over, the sale conducting officer shall forward a list of the successful bidders to the Amildar of the taluk concerned who shall enquire into the solvency of and record the amount of deposit or surety required from each purchaser. He should submit the list so prepared to the selling officer within five days of its receipt and the latter should submit the same with his remarks to the Deputy Commissioner for confirmation without delay.

15. On the failure of any person to make deposit under condition 12 or to comply with the requisition under condition 13 *supra* or to execute engagements and take out licenses as aforesaid, the deposits already made shall be forfeited and the shop be re-sold or otherwise disposed of at the discretion of the Deputy Commissioner.

16. Re-sales effected under condition 15 will be at the risk of the defaulting bidder, who will forfeit all gain, and, in the event of loss, will be required to make good the deficiency between the total amount payable for the whole period under the terms of the original sale and the total amount payable by the successful bidder at the re-sale. In the latter case the forfeited deposits will be deducted from the loss arising from the re-sale, and the remainder, if any, will be recoverable from the defaulter in the same manner as if it were an arrear of land revenue. Should, however, the forfeited deposits be greater than the loss by re-sale, the whole of such deposits will be credited to Government. The defaulting bidder will be similarly liable if the privilege is disposed of otherwise than by re-sale and such disposal results in loss to Government as compared with the original sale.

17. The purchaser of the privilege is liable to the penalties prescribed for breaches of the conditions set forth below, though a formal license may not have been issued to him.

18. The deposit referred to in condition 12 or condition 13, as the case may be, will be taken as security for the due performance of the conditions of the license. If the Deputy Commissioner and the licensee so agree, it may be credited towards the last instalment of the khists payable by the latter.

19. The licenses issued under the above clauses will be subject to the following conditions :—

(1) The limits within which sales under any license may be carried on will be specified by the Deputy Commissioner at the time of the grant of the license. The sale or possession (except subject to the rules applicable to unlicensed persons) of liquor outside those limits is prohibited.

(2) Sales must be conducted in a suitable building.

(3) Except in the case when two or more foreign liquor licenses are held by one person, sales under each license issued must be in different premises (chemists and druggists and medical practitioners excepted). The possession upon any licensed premises of any liquor except that to which the license relates, or of any essence or substance used or capable of being used for colouring or flavouring liquor is prohibited.

(4) A sign-board must be affixed to the front of each shop showing the nature and number of the license under which sales are conducted there and the name of the licensee. These particulars must be legibly painted in the local vernacular and in English. The license must be hung up in a conspicuous place within.

(5) All liquor sold or kept for sale shall be of good quality and unadulterated. Nothing shall be added to them either to increase their intoxicating power or for any other purpose. All officers authorized to inspect shops are authorized to detain any liquor found unfit for consumption or use, or which they may believe to have been tampered with, and all Deputy Commissioners and District Excise Officers are empowered to destroy such as are found unfit for consumption or use.

(6) The sale or transport of liquor, by persons below the age of 14 or by persons suffering from leprosy or any contagious disease and the employment of such persons in shops for the sale of the same are prohibited. The Deputy Commissioner may, when necessary, call for the names of all persons employed or proposed to be employed in shops and forbid the sale of liquor, by any of whom he may disapprove.

(7) No shop shall be opened before sunrise or kept open after 9 P.M.* except under special authority.

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*9-30 P.M. in the Bangalore City.

(22) An inspection note-book, with the pages numbered consecutively, for inspecting officers to enter their remarks in, shall be maintained, and be handed over to the Inspector of the Range or any officer authorized by him to receive it on a receipt being given therefor.

(23) The amount for which the privilege has been purchased shall be payable in ~~twelve~~ three equal ~~quarterly~~ monthly instalments into a Government Treasury on or before the 10th of each ~~quarter~~ month beginning with July.

(24) No remission or abatement of the rent shall be claimable on any account whatever.

(25) Any sum due by a licensee may be collected under the Law for the recovery of Land Revenue or adjusted from the deposit, if any, made by him at the commencement of the lease. He shall be bound to replace any sums adjusted from his deposit within fifteen days of receipt of notice from the Deputy Commissioner.

(26) Power is further reserved to Deputy Commissioner to suspend licenses in case of failure of payment of kists.

(27) In the event of suspension of a license for failure to pay arrears, the privilege of sale will be re-sold with effect from the date of issue of license to the new purchaser or otherwise disposed of at the Deputy Commissioner's discretion. All losses on account of suspension and re-sale or other disposal of the privilege shall be borne by the defaulting licensee, but he shall have no right to gain, if any, which accrues. The whole of the deposit, if any, made at the commencement of the lease will be liable to forfeiture. The officer who has power to suspend the license may, however, at his discretion allow sales to continue pending re-sale or other disposal of the privilege.

(28) Interest on all moneys due shall be payable at the rate of 6 per cent per annum.

(29) Infraction of any of the conditions of the license either by a licensee or by any person in his employment will entail on the licensee—

Either (*a*) fine up to Rs. 50,

or (*b*) forfeiture of deposits, if any, and cancellation of license and re-sale or other disposal of the privilege at the risk of the licensee.

The licensee or his agent may also be prosecuted for the specific offence committed.

The rent for the whole lease shall become due at once, when a lease is cancelled under this condition.

Note.—For continuing breaches of a license, continuing fines may be imposed.

(30) Any license may be forfeited and the privilege be re-sold or otherwise disposed of at the risk of the licensee if the licensee be convicted before a Magistrate of any offence against the Excise Regulation or Opium Act, or of any offence under the Indian Penal Code which in the Deputy Commissioner's opinion renders him unfit to hold it. The purchaser of a privilege is liable to the penalties prescribed in this condition if he is convicted of any such offence as above contemplated after the confirmation of the sale of the privilege to him though before issue of a formal license. Forfeiture of any license under this clause shall involve forfeiture of the balance of all deposits after payment to Government of all sums due under the lease.

(31) Licensees are bound to report to the Deputy Commissioner all instances which come to their knowledge of persons employed by them in the manufacture, carriage or sale of liquor, opium and intoxicating drugs, committing breaches of the Excise laws or of engagements entered into by them and to comply with the Deputy Commissioner's orders respecting the continued employment of such persons. No persons who have been convicted under the Indian Penal Code shall be employed in the carriage or sale of liquor, ~~opium and intoxicating drugs~~ without the Deputy Commissioner's previous permission.

(32) Pecuniary dealings by licensees of any kind whatever with officials of the Excise Department are absolutely prohibited.

(33) With the sanction of the Excise Commissioner, any license shall be revocable by the Deputy Commissioner at his discretion on giving the licensee fifteen days' notice of such revocation, in which case proportionate part of the fee paid will be refunded.

(34) All licensees shall be bound by any additional general rules that may be prescribed under the Excise laws and, if so required by the Deputy Commissioner or any officer authorised by him, to deliver up their licenses for amendment or for the issue of fresh ones.

(35) The licensee shall be bound to take over any Foreign Liquor which may remain as stock in hand belonging to the outgoing licensees on 1st July ~~1908~~ 1911 in the shops paying them such compensation for the same as may be fixed by the Excise Commissioner.

(36) The privilege extends only to the sale of Foreign Liquors of the strengths and Brands mentioned in the license. No Foreign Spirits below 15 U. P. shall be sold under the license.

(37) All Foreign Liquors, intended for sale under the license should be imported only after obtaining an import permit from the Deputy Commissioner for the purpose. Any person otherwise importing foreign Liquors, commits an offence under Section VI (6) of the Mysore Excise Regulation and is punishable under Section 55.

(8) No drunkenness, disorder or gaming shall be permitted in shops. Entertainments of any kind in shops are also strictly forbidden.

(9) No robbers are thieves or disorderly or riotous persons shall be harboured in shops. Intimation of their resort thereto shall be given to the nearest Magistrate or Police officer.

(10) No person shall be harboured in any shop during the night.

(11) Shops situated on or adjacent to the line of march must be closed, if the Deputy Commissioner so orders, while a regiment or detachment of European or Native Soldiers is passing or is encamped in the vicinity or in times of religious excitement or disturbance. Every shop-keeper shall on his own motion close his shop when there is riot or disturbance in the neighbourhood.

(12) The Deputy Commissioners may order the transfer of shops from one locality to another provided the distance is not more than two hundred yards.

(13) The right is reserved to the Deputy Commissioner to grant "Occasional Licenses" for the sale of liquor, on the occurrence of fairs, festivals, etc., in places in the vicinity of which there are no regularly licensed shops. Such licenses shall ordinarily be granted to the shop-keepers who usually supply the locality or to the representatives of the renter. Their period shall not exceed ten days, and the fee to be paid therefor shall be fixed at the Deputy Commissioner's discretion.

(14) No liquor, shall be sold or given—

(*a*) Except at shops specially approved by the General Officer Commanding the division (or Independent Brigade) or the officer commanding the cantonment or camp, and then only in respect to such liquors as shall be approved by the same authority in consultation with the local Excise authorities and specified in the license—

(1) to sailors, soldiers and the members of their families, or

(2) to any other person living in barracks;

(*b*) whilst on duty, to any—

(1) camp- follower, member of the Police force, or Officer of the Excise Department;

(2) servant of a Railway Company; or

(*c*) in any circumstances, to any—

(1) European vagrant under escort of the Police;

(2) child under fourteen years of age;

(3) insane person; or

(4) person known or believed to be intoxicated.

(15) No privilege of vend shall be sold, transferred or sub-rented without the Excise Commissioner's previous permission. Nor if the Deputy Commissioner so orders, shall any agent be appointed for the management of any such privilege without his previous approval.

(16) No holder of any license will be allowed, without special permission from the Excise Commissioner, to possess or continue to possess any interest direct or indirect in any abkari or opium license in any districts of the Madras or Bombay Presidency under the British Government, or any other Foreign State or Territory or Civil and Military Station, Bangalore.

(17) Shops must be kept open unless their temporary or permanent closure is authorized by the Deputy Commissioner and such supply of liquor as the Deputy Commissioner may consider sufficient to meet local requirements must be maintained therein. Shops not opened by dates to be fixed by the Deputy Commissioner shall be liable to be re-sold at the risk of the licensees.

(18) No liquor shall be sold either below or above such minimum or maximum prices as may be fixed for sale of the same in accordance with the law for the time being in force.

(19) No liquor in excess of the quantity prescribed for possession without a license shall be permitted to be removed by any person at any one time from any licensed premises without a valid permit.

(20) True accounts of transactions shall be maintained from day to day in ink in the prescribed form. The accounts and permits shall be in printed books. The account books may be obtained from local Excise Officers on payment of cost price. The permit books can be obtained at all Range offices on production of receipts for the payment of the cost price into a Government Treasury. Permits for liquor, received and the counterfoils of permits issued must be carefully filed. The signing of blank permits for subsequent issue is prohibited. The accounts and counterfoils of permits shall be preserved for one year after the period covered by the license and shall be produced when called for by an officer not below the rank of Assistant Inspector of the Excise Department.

(21) Such returns and information as may be required by the Deputy Commissioner from time to time shall be furnished by holders of licenses.

(38) The liecnsee is prohibited from rectifying spirits by purifying, coloring or flavoring or mixing any material therewith. ~~(Inserted in Canada)~~

(39) All receptacles containing beer ~~manufactured in the Bangalore Brewery shall be labelled or branded with the words "Beer manufactured in Bangalore."~~

(40) All liquor imported in bulk and bottled in British India, received or kept for sale must bear a printed label showing clearly the country of manufacture, the name of the bottler as entered in his license and the place of bottling.

(41) The privilege under the Retail "Off" licenses of Foreign Liquor extends to the sale of such liquor only in sealed receptacles in quantities not less than a pint of each kind at a time and not more than two gallons at a time. All liquors should be kept in bottles which must be sealed, wired or secured by capsules or the cork and top of the neck covered by metallic foil. Liquor sold under this license should not be consumed on the premises. No draught Beer or Porter of any kind shall be sold under these licenses.

(42) The privilege under licenses for Refreshment Rooms in which the sale of liquor is combined which the supply of meals or eatables prepared and served in European manner, extends to the sale of Foreign Liquor only in the Refreshment Rooms maintained by the licensee to persons supplied with meals or eatables prepared and served in European manner for consumption on the premises. It will at all times be optional with the Deputy Commissioner to withdraw licenses of this description, if it should appear that the sale of liquor to persons who have not partaken of meals in the Refreshment Room is permitted to such an extent or so habitually that the Refershment Room may fairly be classed as a tavern. Sale of liquor for removal from the premises will not be allowed under these licenses. The premises to be used for the sale of liquor under these licenses must be at least of the monthly rentable value of Rs. 25. No draught Beer or Porter of any kind shall be sold under these licenses.

Name of Town in which shop is to be located	No. and locality	Kind of license.	Date of sale
		Bangalore District.	
Bangalore City ..	1. * ...	Retail "Off" license ...	19th June 1911
	2. * ...	Do	~~17th June 1908.~~
		Kolar District.	
~~Kolar Gold Fields~~ ..	~~1. Robertsonpett~~ ..	Refreshment Room license.	19th June 1911
	~~2. Steven's Camp~~ ..	~~Do~~ ...	~~15th do~~
~~Bowringpet~~ ...	~~3. Bowringpet~~ ...	~~Do~~ ...	
	~~4. Do~~ ...	~~Retail "Off" license~~ ...	
		Mysore District.	
Mysore City ...	1. *	Retail "Off" license ...	21st June 1911
	2. *	Do ...	~~19th do~~
	3. * ..	Do ...	
	4. * ..	Do ..	
		Shimoga District.	21st June 1911
Shimoga Town ..	1. * ..	Retail "off" license ...	~~20th do~~
		Hassan District.	
~~Hassan town~~ ...	~~1.~~ * ..	~~Retail "Off" license~~ ...	19th June 1911.
Saklespur ...	~~1.~~ *	Retail Off" license	~~21st do~~
		Kadur District.	21st June 1911.
Chikmagalur Town ..	1. * ...	Retail "Off" license ...	~~16th do~~
	~~2~~ *	Refreshment room	— do —

* *N. B.*—Locality to be fixed by the Deputy Commissioner and to be announced at the time of sale.

Grant for approval

H. H. SPARKES,
Excise Commissioner in Mysore.

EXCISE DEPARTMENT.

Notification No. ~~10754, dated 3rd June~~ 1908.

NOTICE OF SALE OF FOREIGN LIQUOR LICENSES ~~FROM~~ ~~1908 to 1911.~~ for the year 1911-12.

Notice is hereby given that the privilege of selling Foreign Liquor under the licenses mentioned in the subjoined schedule during the ~~three~~ years beginning 1st July 1911 and ending 30th June 1912, will be put up to public auction by Deputy Commissioners or Revenue Assistant Commissioners or District Officers of the Excise Department or other officers specially authorised by the Deputy Commissioners for the purpose on the dates and at the District Headquarters mentioned in the schedule, subject to the conditions hereinafter set forth. If the sales are not completed on the dates fixed, they will be continued on the next following days, close holidays excepted.

2. A deposit of Rs. 20 must be made by each bidder previous to bidding and will be received at any time within three days previous to the date of sale.

3. The shops will be put up to auction at an upset price of Rs. 150 per annum.

4. Every shop should, as a rule, be sold independently.

5. No person will be allowed to bid for another unless he holds a Power-of-Attorney from the latter.

6. No shops will be knocked down in the name of two or more persons unless they represent a duly recognised Company or firm by means of a Power-of-Attorney. The selling officer shall refuse to register as a purchaser any one in whose name the bidding has not proceeded.

7. The officer conducting the sale may, at his discretion, refuse to accept the bid of any person on the ground that it is too low or that he has been convicted by a Criminal Court or has previously been guilty of such a breach of the conditions of a license or of a contract under the Excise Regulation or Opium Act, as to render him undesirable as a holder of a license or on the ground that he is insolvent or to prevent arrangements to the detriment of Government interests or for any other valid reason.

8. The shops will be knocked down to the highest bidder, but the sale will be subject to formal confirmation by the Deputy Commissioner, who shall be at liberty to accept or reject any bid at his discretion. Such formal confirmation will be tantamount to an acceptance of the bid unless revised by the Government for special reasons and will be necessary whether the sale be held by the Deputy Commissioner himself or by any officer appointed by him.

9. In cases of dispute at the time of auction the selling officer's decision shall be final; and if for any reason the highest bid is rejected the next highest shall be taken or the shop re-sold at his discretion.

10. Tenders after auction shall not generally be accepted. Shops remaining unsold at the first auction shall ordinarily be disposed of by re-auction later on. But the Deputy Commissioner has full discretion on this point.

11. As soon as possible after the auction is completed, the deposits made by the unsuccessful bidders will be returned to them. As the auction proceeds, each person whose bid is accepted shall at once, if so required by the selling officer, or otherwise at the close of the day's sale, make a further deposit of ~~two months'~~ rent (in addition to the deposit made under condition 2) for each shop unless the initial deposit equals or exceeds ~~six~~ months' rent. Should he fail to do so, the deposit made by him under condition 2 will be forfeited and the shops will be put up again to auction on the above conditions or otherwise disposed of as the selling officer may determine and the defaulter will be debarred from bidding again for the same or for any other shop.

Half a month's

two

12. Persons to whom shops have been knocked down and who have made deposits as provided in conditions 2 and 11 shall leave their address with the selling officer, in order that the confirmation of the sale may be communicated to that address by a notice and they shall also *deposit such further sum as with the former deposits will make up ~~six~~ months' rent. Such deposit should be paid into the Taluk Treasury within seven days from the date of communication of the notice of the Deputy Commissioner's acceptance of the bid by its presentation to themselves or to any adult male member of their family at the place of the said address, or by its despatch duly registered by post. They shall then *without unnecessary delay* execute the necessary engagements and take out licenses on the conditions hereinafter set forth. In the case of the purchaser's death after signing the agreement, it will be binding on his heirs and

two

*Deposits may be in cash or other approved security.

assigns. Should the initial deposit exceed the sum required to be deposited under this condition, the excess will be refunded unless the purchaser is required to make a deposit (twice that sum) under condition 13 *infra*.

13. If on enquiry subsequent to sale the purchaser shall be found to be of doubtful solvency or a foreigner having no sufficient property in the Mysore State, he may be required either to deposit twice the sum prescribed in condition 12 *supra* or to get a surety or sureties, residents of and possessing sufficient property in the Mysore State to execute a security bond for the due payment of all moneys that may become due by him under the terms of the contract. The bond shall be stamped (Article 32 of Schedule I of the Mysore Stamp Regulation II of 1900) and also registered at the expense of the purchaser if the amount secured exceeds Rs. 1,000.

14. As soon as the sales are over, the sale conducting officer shall forward a list of the successful bidders to the Amildar of the taluk concerned who shall enquire into the solvency of and record the amount of deposit or surety required from each purchaser. He should submit the list so prepared to the selling officer within five days of its receipt and the latter should submit the same with his remarks to the Deputy Commissioner for confirmation without delay.

15. On the failure of any person to make deposit under condition 12 or to comply with the requisition under condition 13 *supra* or to execute engagements and take out licenses as aforesaid, the deposits already made shall be forfeited and the shop be re-sold or otherwise disposed of at the discretion of the Deputy Commissioner.

16. Re-sales effected under condition 15 will be at the risk of the defaulting bidder, who will forfeit all gain, and, in the event of loss, will be required to make good the deficiency between the total amount payable for the whole period under the terms of the original sale and the total amount payable by the successful bidder at the re-sale. In the latter case the forfeited deposits will be deducted from the loss arising from the re-sale, and the remainder, if any, will be recoverable from the defaulter in the same manner as if it were an arrear of land revenue. Should, however, the forfeited deposits be greater than the loss by re-sale, the whole of such deposits will be credited to Government. The defaulting bidder will be similarly liable if the privilege is disposed of otherwise than by re-sale and such disposal results in loss to Government as compared with the original sale.

17. The purchaser of the privilege is liable to the penalties prescribed for breaches of the conditions set forth below, though a formal license may not have been issued to him.

18. The deposit referred to in condition 12 or condition 13, as the case may be, will be taken as security for the due performance of the conditions of the license. If the Deputy Commissioner and the licensee so agree, it may be credited towards the last instalment of the khists payable by the latter.

19. The licenses issued under the above clauses will be subject to the following conditions:—

(1) The limits within which sales under any license may be carried on will be specified by the Deputy Commissioner at the time of the grant of the license. The sale or possession (except subject to the rules applicable to unlicensed persons) of liquor outside those limits is prohibited.

(2) Sales must be conducted in a suitable building.

(3) ~~Except in the case when~~ two or more foreign liquor licenses ~~are~~ can be held by one person, ~~sales under each license issued must be in different premises (chemists and druggists and medical practitioners excepted).~~ The possession upon any licensed premises of any liquor except that to which the license relates, or of any essence or substance used or capable of being used for colouring or flavouring liquor is prohibited.

(4) A sign-board must be affixed to the front of each shop showing the nature and number of the license under which sales are conducted there and the name of the licensee. These particulars must be legibly painted in the local vernacular and in English. The license must be hung up in a conspicuous place within.

(5) All liquor sold or kept for sale shall be of good quality and unadulterated. Nothing shall be added to them either to increase their intoxicating power or for any other purpose. All officers authorized to inspect shops are authorized to detain any liquor found unfit for consumption or use, or which they may believe to have been tampered with, and all Deputy Commissioners and District Excise Officers are empowered to destroy such as are found unfit for consumption or use.

(6) The sale or transport of liquor, by persons below the age of ~~14~~ 16 or by persons suffering from leprosy or any contagious disease and the employment of such persons in shops for the sale of the same are prohibited. The Deputy Commissioner may, when necessary, call for the names of all persons employed or proposed to be employed in shops and forbid the sale of liquor, by any of whom he may disapprove.

(7) No shop shall be opened before sunrise or kept open after 9 P.M.* except under special authority.

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*9-30 P.M. in the Bangalore City.

(8) No drunkenness, disorder or gaming shall be permitted in shops. Entertainments of any kind in shops are also strictly forbidden.

(9) No robbers are thieves or disorderly or riotous persons shall be harboured in shops. Intimation of their resort thereto shall be given to the nearest Magistrate or Police officer.

(10) No person shall be harboured in any shop during the night.

(11) Shops situated on or adjacent to the line of march must be closed, if the Deputy Commissioner so orders, while a regiment or detachment of European or Native Soldiers is passing or is encamped in the vicinity or in times of religious excitement or disturbance. Every shop-keeper shall on his own motion close his shop when there is riot or disturbance in the neighbourhood.

(12) The Deputy Commissioners may order the transfer of shops from one locality to another provided the distance is not more than two hundred yards.

(13) The right is reserved to the Deputy Commissioner to grant "Occasional Licenses" for the sale of liquor, on the occurrence of fairs, festivals, etc., in places in the vicinity of which there are no regularly licensed shops. Such licenses shall ordinarily be granted to the shop-keepers who usually supply the locality or to the representatives of the renter. Their period shall not exceed ten days, and the fee to be paid therefor shall be fixed at the Deputy Commissioner's discretion.

(14) No liquor, shall be sold or given—

(*a*) Except at shops specially approved by the General Officer Commanding the division (or Independent Brigade) or the officer commanding the cantonment or camp, and then only in respect to such liquors as shall be approved by the same authority in consultation with the local Excise authorities and specified in the license—

(1) to sailors, soldiers and the members of their families, or

(2) to any other person living in barracks;

(*b*) whilst on duty, to any—

(1) camp- follower, member of the Police force, or Officer of the Excise Department;

(2) servant of a Railway Company; or

(*c*) in any circumstances, to any—

(1) European vagrant under escort of the Police;

(2) child under ~~fourteen~~ sixteen years of age;

(3) insane person; or

(4) person known or believed to be intoxicated.

(15) No privilege of vend shall be sold, transferred or sub-rented without the Excise Commissioner's previous permission. Nor if the Deputy Commissioner so orders, shall any agent be appointed for the management of any such privilege without his previous approval.

(16) No holder of any license will be allowed, without special permission from the Excise Commissioner, to possess or continue to possess any interest direct or indirect in any abkari or opium license in any districts of the Madras or Bombay Presidency under the British Government, or any other Foreign State or Territory or Civil and Military Station, Bangalore.

(17) Shops must be kept open unless their temporary or permanent closure is authorized by the Deputy Commissioner and such supply of liquor as the Deputy Commissioner may consider sufficient to meet local requirements must be maintained therein. Shops not opened by dates to be fixed by the Deputy Commissioner shall be liable to be re-sold at the risk of the licensees.

(18) No liquor shall be sold either below or above such minimum or maximum prices as may be fixed for sale of the same in accordance with the law for the time being in force.

(19) No liquor in excess of the quantity prescribed for possession without a license shall be permitted to be removed by any person at any one time from any licensed premises without a valid permit.

(20) True accounts of transactions shall be maintained from day to day in ink in the prescribed form. The accounts and permits shall be in printed books. The account books may be obtained from local Excise Officers on payment of cost price. The permit books can be obtained at all Range offices on production of receipts for the payment of the cost price into a Government Treasury. Permits for liquor, received and the counterfoils of permits issued must be carefully filed. The signing of blank permits for subsequent issue is prohibited. The accounts and counterfoils of permits shall be preserved for one year after the period covered by the license and shall be produced when called for by an officer not below the rank of Assistant Inspector of the Excise Department.

(21) Such returns and information as may be required by the Deputy Commissioner from time to time shall be furnished by holders of licenses.

(22) An inspection note-book, with the pages numbered consecutively, for inspecting officers to enter their remarks in, shall be maintained, and be handed over to the Inspector of the Range or any officer authorized by him to receive it on a receipt being given therefor.

(23) The amount for which the privilege has been purchased shall be payable in twelve equal ~~quarterly~~ instalments into a Government Treasury on or before the 20th of each ~~quarter~~ beginning with July.

(24) No remission or abatement of the rent shall be claimable on any account whatever.

(25) Any sum due by a licensee may be collected under the Law for the recovery of Land Revenue or adjusted from the deposit, if any, made by him at the commencement of the lease. He shall be bound to replace any sums adjusted from his deposit within fifteen days of receipt of notice from the Deputy Commissioner.

(26) Power is further reserved to Deputy Commissioner to suspend licenses in case of failure of payment of kists.

(27) In the event of suspension of a license for failure to pay arrears, the privilege of sale will be re-sold with effect from the date of issue of license to the new purchaser or otherwise disposed of at the Deputy Commissioner's discretion. All losses on account of suspension and re-sale or other disposal of the privilege shall be borne by the defaulting licensee, but he shall have no right to gain, if any, which accrues. The whole of the deposit, if any, made at the commencement of the lease will be liable to forfeiture. The officer who has power to suspend the license may, however, at his discretion allow sales to continue pending re-sale or other disposal of the privilege.

(28) Interest on all moneys due shall be payable at the rate of 6 per cent per annum.

(29) Infraction of any of the conditions of the license either by a licensee or by any person in his employment will entail on the licensee—

Either (*a*) fine up to Rs. 50,

or (*b*) forfeiture of deposits, if any, and cancellation of license and re-sale or other disposal of the privilege at the risk of the licensee.

The licensee or his agent may also be prosecuted for the specific offence committed.

The rent for the whole lease shall become due at once, when a lease is cancelled under this condition.

Note.—For continuing breaches of a license, continuing fines may be imposed.

(30) Any license may be forfeited and the privilege be re-sold or otherwise disposed of at the risk of the licensee if the licensee be convicted before a Magistrate of any offence against the Excise Regulation or Opium Act, or of any offence under the Indian Penal Code which in the Deputy Commissioner's opinion renders him unfit to hold it. The purchaser of a privilege is liable to the penalties prescribed in this condition if he is convicted of any such offence as above contemplated after the confirmation of the sale of the privilege to him though before issue of a formal license. Forfeiture of any license under this clause shall involve forfeiture of the balance of all deposits after payment to Government of all sums due under the lease.

(31) Licensees are bound to report to the Deputy Commissioner all instances which come to their knowledge of persons employed by them in the manufacture, carriage or sale of liquor, opium and intoxicating drugs, committing breaches of the Excise laws or of engagements entered into by them and to comply with the Deputy Commissioner's orders respecting the continued employment of such persons. No persons who have been convicted under the Indian Penal Code shall be employed in the carriage or sale of liquor, ~~opium and intoxicating drugs~~ without the Deputy Commissioner's previous permission.

(32) Pecuniary dealings by licensees of any kind whatever with officials of the Excise Department are absolutely prohibited.

(33) With the sanction of the Excise Commissioner, any license shall be revocable by the Deputy Commissioner at his discretion on giving the licensee fifteen days' notice of such revocation, in which case proportionate part of the fee paid will be refunded.

(34) All licensees shall be bound by any additional general rules that may be prescribed under the Excise laws and, if so required by the Deputy Commissioner or any officer authorised by him, to deliver up their licenses for amendment or for the issue of fresh ones.

(35) The licensee shall be bound to take over any Foreign Liquor which may remain as stock in hand belonging to the outgoing licensees on 1st July ~~1903~~ in the shops paying them such compensation for the same as may be fixed by the Excise Commissioner.

(36) The privilege extends only to the sale of Foreign Liquors of the strengths and Brands mentioned in the license. No Foreign Spirits below 15 U. P. shall be sold under the license.

(37) All Foreign Liquors, intended for sale under the license should be imported only after obtaining an import permit from the Deputy Commissioner for the purpose. Any person otherwise importing foreign Liquors, commits an offence under Section VI (6) of the Mysore Excise Regulation and is punishable under Section 55.

(38) The liecnsee is prohibited from rectifying spirits by purifying, coloring or flavoring or mixing any material therewith.

(39) All receptacles containing ~~beer manufactured in the Bangalore Brewery shall be labelled or branded with the words "Beer manufactured in Bangalore."~~

(40) All liquor imported in bulk and bottled in British India, received or kept for sale must bear a printed label showing clearly the country of manufacture, the name of the bottler as entered in his license and the place of bottling.

(41) The privilege under the Retail "Off" licenses of Foreign Liquor extends to the sale of such liquor only in sealed receptacles in quantities not less than a pint of each kind at a time and not more than two gallons at a time. All liquors should be kept in bottles which must be sealed, wired or secured by capsules or the cork and top of the neck covered by metallic foil. Liquor sold under this license should not be consumed on the premises. No draught Beer or Porter of any kind shall be sold under these licenses.

(42) The privilege under licenses for Refreshment Rooms in which the sale of liquor is combined which the supply of meals or eatables prepared and served in European manner, extends to the sale of Foreign Liquor only in the Refreshment Rooms maintained by the licensee to persons supplied with meals or eatables prepared and served in European manner for consumption on the premises. It will at all times be optional with the Deputy Commissioner to withdraw licenses of this description, if it should appear that the sale of liquor to persons who have not partaken of meals in the Refreshment Room is permitted to such an extent or so habitually that the Refershment Room may fairly be classed as a tavern. Sale of liquor for removal from the premises will not be allowed under these licenses. The premises to be used for the sale of liquor under these licenses must be at least of the monthly rentable value of Rs. 25. No draught Beer or Porter of any kind shall be sold under these licenses.

Superior country beer referred to in Govt notfn no: 8297/S&109-07 of 7/6/1905 shall bear a label showing where it is manufactured

Name of Town in which shop is to be located	No. and locality	Kind of license.	Date of sale
		Bangalore District.	
Bangalore City ..	1. * ...	Retail "Off" license ...	~~17th June 1908.~~ 19th June 1911
	2. * ...	Do ..	
		~~*Kolar District*~~	
Kolar Gold Fields ...	1. Robertsonpett ..	Refreshment Room license.	
	2. Steven's Camp ..	Do ...	~~15th do~~
Bowringpet ...	3. Bowringpet ...	Do ...	
	4. Do ...	Retail "Off" license ...	
		Mysore District.	
Mysore City ...	1. * ..	Retail "Off" license ...	21st June 1911.
	2. * .	Do ...	~~19th do~~
	3. * ...	Do ...	
	4. * ...	Do ..	
		Shimoga District.	
Shimoga Town	1. * ...	Retail "off" license ...	~~20th do~~ do
		Hassan District.	
~~Hassan town~~	~~1. *~~	~~Retail "Off" license ...~~	
Saklespur	~~1.~~ *	Retail Do off license	~~21st do~~ 19th June 1911.
		Kadur District.	
Chikmagalur Town ..	1. * ...	Retail "Off" license ...	~~16th do~~ 21st June 1911.
	2 *	~~Refreshment Room~~	

* *N. B.*—Locality to be fixed by the Deputy Commissioner and to be announced at the time of sale.

(52) K. S. Doraswamy Ayyr
~~H. H. SPARKES,~~
Excise Commissioner in Mysore.

30/5/11

G.R.S. 26]

File No. 134-11
Serial No. 4

Diary No. of letter replied to 4502

No. 25799
8/16-5-11

General and Revenue Secretariat
(Sep Rev)
, *the* 19

To
The Excise Com^r
in Impl

Date of issue 16-5-11

Signed by W Hinyamble

Sir,

With reference to your letter no 9170 & 6-5-1911 submitting for approval a draft notification for the sale of foreign liquor Licenses for the year 1911-12, I am directed to request you to be so good as to furnish information on the following points :—

over.

SUBJECT.

1. It is not clear why & with what object Condition 3 of rule 19 has been altered ~~as to exclude provision for the special licenses referred to in the old rule~~.

2. It is not also clear why it is proposed to withdraw from the Dy Com the powers hitherto vested in them of calling for his approval the names of persons employed in shops vide Condition 6 of rule 19.

3. The age limit of 14 occurring in Condition 6 of 14 of rule 19 is still retained though it has been raised to 16 in respect of all Excise shops.

4. Condition 36 of Rule 19 does not seem to be full.

5. Condition 3 of rule 19 refers to the sale of Bangalore beer. Is the retention of this with draft Condition Correct?

A very early reply is requested. ~~The draft notification~~ is herewith returned for reference and resubmission.

Yours

for Secy

List of enclosures,

Copied by

Examined by

GPB—20,000—26-9-10

161

No. 9685

OFFICE OF THE EXCISE COMMISSIONER IN MYSORE,

*Bangalore, dated...*22nd.....May.....*19* 11.

From

K. Doraswami Iyer, Esq.,

Offg: *Excise Commissioner in Mysore.*

To

C. S. Balasundram Iyer, Esq., B.A.,

Offg: *Secretary to the Government of*
His Highness the Maharaja of Mysore,
General and Revenue Departments.

SIR,

With reference to your letter No. Fl. 5699/S.R.134-10, dated 16-5-1911. calling for further information on some points in the draft Notification for the sale of Foreign Liquor licenses, I have the honor to state as follows:-

1. Condition 3 of Rule XIX. The reason for tha altera-tion is because the General conditions published in Government - - Notification No. 7796, dated the 6th April 1911 contains already in clause 4 a condition worded identically as before.

2. Para 6 of Rule XIX of the draft Notification was altered in view of Government Order No. 4652/S.R.129-10-2. dated 3rd April 1911, delegating the power to deal with vendors to Amildars but it is necessary not to divest the Deputy Commissioner of his powers in this respect and I beg that clause 6 as it originally stood may be retained.

3. The age limit of 14 would appear to have been adopted from the Madras Rules, but I think it better to raise it to 16 as in - - respect of all other Excise and Opium licenses.

4. In regard to condition 36:- The licensee cannot sell any brands below 15 Under-Proof. The schedule of brands is - - checked with the latest list of brands approved by Government before entering

1911. D4721

From

K. Doraswami Iyengar Esqr

Offg. *Excise Commissioner in Mysore.*

To

S. Balasundaram Iyengar Esqr BA

Offg *Secretary to the Government of*
H. H. the Maharaja of Mysore,
Genl. and Rev. Depts.

Dated

Despatched 22-5-11

Received

General No. 9685-

Enclosure No.

SUBJECT.

Submitting further information on some points in the draft notification for the sale of foreign liquor licenses

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GPB—2,000—31-7-09

entering it in the license. For any brand weaker than 15 Under--proof the sanction of Government has to be obtained before the same is included in the schedule. (Vide Government Order No. Fl.4736/S.R. 267-08-3, dated 23rd March 1910).

5. Condition 39 of Rule XIX is entered under Government Order No. Fl.8292/S.R.107-04-2, dated 7th June 1905 authorising the sale of superior country beer. It may, however, be altered as follows:-

" All receptacles containing superior country beer referred to in Government Notification No. Fl. 8292/S.R.107-04-2, dated 7th June 1905, shall bear a label showing where it is manufactured ".

I request that early orders may be passed.

I have the honor to be,

Sir,

Your most obedient servant,

Offg: Excise Commissioner.

G.R.S. 28.]

File No. 134-10
Serial No. 46

Diary No of letter replied to 424

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT

( )

the 19

Date of issue 2 June 14

Signed by Ill Henrysmith

READ— Correspondence ending with letter no 9685 & dt 22/5/ from the Excise Commr in Mysore regarding the notification for the sale of foreign liquor licenses for the year 1911-12

ORDER THEREON.—No 7659 42-6-11

The notification is approved with certain modifications

for Secy to Govt

To the Excise Commr in Mysore, with copy of the Notfn as approved

over

No. 83
4/6/14

SUBJECT.

for copy see Pages 31 to 35 of Miscl Dy Miscl file, in which corrections are indicated

GPB—10,000—9-12-09